

**BOROUGH OF WIND GAP
29 MECHANIC STREET
WIND GAP, PA 18091
863-7288
FAX 863-1011**

EXECUTIVE SESSION

Council met in Executive Session from 6:00 p.m. to discuss personnel issues.

The Council meeting of the Borough of Wind Gap on Monday, September 19, 2011, was called to order at 7:00 p.m. by Council President, Scott Parsons, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: John Maher, Dave Hess, Kerry Gassler, George Hinton, Joe Weaver and Tony Curcio. Also in attendance were Mayor James M. Shoemaker, Borough Solicitor Ronold Karasek, and Borough Administrator Louise Firestone.

Council President Scott Parsons informed those present that Council met in Executive Session to discuss personnel matters.

On motion by John Maher to vacate Officer Troy Dailey's suspension with pay and terminate him pursuant to the Borough Code and Civil Service provisions involving neglect or violation of official duty, violation of law, inefficiency, neglect, disobedience of orders, conduct unbecoming an officer and in recognition of past conduct: one day suspension without pay in October 2010, ten day suspension without pay in June 2011, and recent incidents found in Chief's Memo of August 29, 2011, Chief's Memo of September 14, 2011 and failure to comply with Borough's request for health care records in response to incident of September 2, 2011, effective immediately and seconded by Tony Curcio. Roll call vote taken. In favor: T. Curcio, G. Hinton, J. Maher, S. Parsons, J. Weaver. Opposed: D. Hess. Abstained: K. Gassler. Motion carried with a vote of 5-1-1.

Dave Hess questioned the reason for the change of meeting date and the time. Scott replied that the time and date were changed because he felt all Council and the Mayor should be present for an important meeting. The Police Department is the Mayor's responsibility and since he has a scheduling conflict for tomorrow night and has a personal matter this evening the meeting date and time was changed so he could be here. He added that it is a legal meeting because it was duly advertised in the newspaper. Dave acknowledged that it was in the newspaper and on the Borough's website. Scott thanked Council for making themselves available for this meeting and understanding their responsibilities for the job they were elected to do for the residents.

Mayor James Shoemaker took his leave from the meeting at 7:08 p.m.

PUBLIC COMMENT

1. Victor Rodite, representing the Slate Belt Council of Government, provided Council with a copy of a Brief Progress Report and Request for Feedback dated September 1, 2011. Victor asked Council to forward any requests to the COG regarding projects they would to have completed by the COG. There has already been a request to have a map completed that includes all the trails in the Slate Belt region to be distributed to all of the municipalities. Victor reported that while attending different meetings several topics have been discussed including: a new initiative to reduce health care costs, municipalities have expressed interest in regional police or shared municipal services, innovative approaches to share fire services, new technology for street cold patch, etc. Victor thanked Borough Council for their continued support of the Slate Belt Council of Governments.

John Maher stated that the Borough is moving forward with a Property Maintenance Code and wanted to confirm that the Board of Appeals for the COG would be accessible for Wind Gap appeals. Victor stated that the COG established a Uniform Construction Code Board of Appeal and asked the members of that board if they would be interested in serving on the International Property Maintenance Code Board of Appeal and they all agreed. He suggested that the Borough have a local application for an appeal and collect the appropriate fee and then refer the application and fee onto the Board of Appeals. The COG takes care of public notices, stenographers, and board members, related to the appeal. Scott added that it was his understanding the Bangor is in the process of having a drug sniffing police dog and establishing a fee for other municipalities to utilize the dog. Victor reported that next Wednesday, the COG has their board meeting and Mayor Brown of Bangor has been invited to give a presentation, which will probably include this topic. George suggested that if Bangor does move forward with sharing a K-9 dog, that Bangor shares the dog's certifications and the trainer's certifications with the other municipalities.

COMMITTEE REPORTS

1. EMS – Kerry Gassler reported the Ambulance Corps had 80 trips in July of which 26 were non-billable for a total of 469 trips this year. The total number of trips this year is ahead of last year. The Ambulance Corps plans on refurbishing one ambulance next year sometime. Kerry explained that the money saved by the Corps in not paying rent to the Borough each month is put into a truck fund. A new ambulance would cost approximately \$150,000 and an additional \$15,000 to equipment the rig.
2. Fire Co. – Dave Hess reported that the Fire Company will be holding their monthly meeting in ten minutes.
3. Zoning – Tony Curcio reported that no Zoning Hearing Board was held in September and the deadline for submission for the October meeting is this Wednesday.
4. Planning - Scott Parsons reported that no Planning Commission meeting was held in September.
5. Municipal Authority – John Maher reported that the Municipal Authority meeting is next week.
6. Streets – George Hinton reported that both Oak and Genoga has been milled and the contractor plans on paving both streets on Wednesday based on the weather forecast. The street workers have been cleaning catch basins, removing tree limbs and any other debris caused by the storms. The storm caused a tree to fall down on the pavilion in the park, but no damage to the pavilion was reported. Joe added that the tree did cause cracks in some of the plywood. Louise confirmed that the cost to remove the tree was submitted to FEMA as part of the Borough's Emergency Management Coordinator's storm damage report. John Maher reported that the street workers were on Jefferson Street patching potholes with cold patch.
7. Police – Mayor Shoemaker was absent. Chief Armitage had nothing to report.
8. Park – Joe Weaver reported that the Park Board did meet last week, but no motions were passed.
9. 911 – Tony Curcio reported that the Borough received another set of document from the Warren County Public Safety for the use of the five frequencies that the Borough has ownership of through the FCC. Tony confirmed with the Northampton County Systems Manager, Jeff Steiert and

the Deputy Director, that the documents can be signed to allow Warren County to use the frequencies. Tony stated that the Borough is not losing the frequencies. Previously Borough Council voted to keep the frequencies because at that point the Northampton County 911 Center had not released them, but since they have given their okay, Council can move forward with releasing them at this time.

On motion by Tony Curcio to authorize the Council President to sign all five of the frequency documents to Warren County and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

10. Tipping Fees - Tony Curcio had nothing to report.

11. Property Maintenance Code – Scott Parsons stated that the Property Maintenance Code will be discussed under Old Business.

12. Building Finance Committee – John Maher reported he is in the process of getting the properties accessed.

MAYOR'S REPORT

Mayor Shoemaker was absent.

NEW BUSINESS

1. Wells Fargo Handicap Parking on Center Street. Louise explained that Wells Fargo sent a request for handicap parking on Center Street in front of the bank. Borough Engineer, Brian Pysher, was provided a copy of the request, reviewed it and stated that he has no issue with a designated handicap spot at that location. There was concern regarding the doctor's office across the street and his patients utilizing that spot. Since this is a public street any designated handicap spot can be used provided the vehicle displays the appropriate handicap plate/placard no matter what location the vehicle's occupant is visiting. The Borough will provide the sign and paint the curb.

On motion by John Maher to approve the handicap spot at the corner of Center Street and Broadway in front of Wells Fargo and seconded by Tony Curcio. Roll call vote taken. In favor: D. Hess, J. Maher, S. Parsons, J. Weaver, T. Curcio. Opposed: G. Hinton, K. Gassler. Motion carried with a vote of 5-2.

OLD BUSINESS

1. Property Maintenance Code. Ron Karasek informed Council that he is prepared to discuss the code, but he has not had a chance to finalize the ordinance due to recent events over the past two weeks that he has had to handle on the Borough's behalf. In one section of the code the Borough has to state how tall the weeds must be prior before the Borough requires them to be cut. Section 302.4, page 11 specifically addresses this issue. Council agreed that it should be 6" for weeds to be consistent with the height of grass that is considered too tall.

In addition to what is in the book, Council would be adding that insect screens are to be provided from April 15 to November 1 for every door, window or other outside opening utilized for ventilation. The exceptions are screen doors are not required. Heat supply, anyone who rents or leases one or more building units must furnish heat from September 15 to May 15 not less than 65 degrees in all habitable rooms, bathrooms, or toilet rooms or indoor occupiable work spaces shall be supplied with heat. Ron will provide Council with the entire draft ordinance in a couple days for review at the Council's next meeting of October 3rd or October 18th to act upon.

John Maher suggested that Council wait for the document prior to discussing this ordinance further. Ron suggested that Council read the book and be comfortable with the contents of the book since that is the main document in this ordinance.

Kerry questioned the International Property Maintenance Code is not the exact book because it keeps referring to the Uniform Maintenance Code Book. There must be a manual that defines more stuff. Ron replied that Roman Numeral 9 begins the Table of Contents for the actual code. The code begins on page 9 because there are eight pages of introduction. Council would be enacting pages IX and X and then pages 1 through 39 of the book. Kerry stated that there is reference in the code that does refer to another code book. Ron agreed that if there are references in this code book to other code books, such as the electrical code or the fire code, Council should know what the other codes are and what they are passing in the way of a code ordinance. Kerry advised that page 27 lists all the different codes. Scott will contact Bangor and Pen Argyl to inquire how they handled this issue when they passed their Property Maintenance Code.

2. Street Opening Ordinance. Joe Weaver questioned Section 3, who is the road master and Section 7 Time and Days no work on a Sunday or after 8 o'clock in the evening is there any particular reason that was included. John Zucal is the Borough's road master and the time was included as a courtesy to residents, unless of course it is necessary because of an emergency.

On motion by John Maher to approve the advertising of the Street Opening Ordinance for the October 3, 2011 meeting and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

APPROVAL OF MINUTES

On motion by Kerry Gassler to approve the minutes of the September 6, 2011 meeting and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

3. Dave Hess reported that two weeks ago he took a trip to Frackville to view the Christmas lights for sale. With the assistance of Lucy Flinn and Darlene Plank they spent over two hours checking all the bulbs and going over the general condition of the ornaments. They offered the Borough \$500 less than the asking price so they purchased 45 poinsettia ornaments for \$1,500. It was verified that the new decorations will fit on the old brackets. Dave asked what Council wants to do with the old ornaments since they take up so much storage room. Ron asked what the value is of the old ornaments before Council can dispose of them. Council discussed selling the ornaments if they are worth money. Ron stated that if Council determines that they are of no value, the property can be disposed of properly, in this case, they can be trashed. As outlined in the Borough Code if the property is valued between \$4,000 and \$10,000 the Borough is required to solicit telephonic bids.

On motion by Tony Curcio to trash the old Christmas lights and seconded by John Maher. Roll call vote taken. Motion carried unanimously.

Scott extended on behalf of Council thanks to Kerry Gassler for donating the use of his truck to pick up the ornaments and Dave, Lucy and Darlene for their time in transporting the ornaments.

On motion by Tony Curcio to adjourn the meeting of September 19, 2011 and seconded by John Maher. Council agreed unanimously.

The meeting of September 19, 2011 adjourned at 7:55 p.m.

Louise Firestone, Borough Administrator